

THE WOODLANDS TOWNSHIP

Board of Directors Meeting

REGULAR BOARD MEETING

May 22, 2013

MINUTES

THE STATE OF TEXAS §

COUNTIES OF HARRIS & MONTGOMERY §

The Board of Directors of The Woodlands Township met in regular session, open to the public, on May 22, 2013, posted to begin at 6:00 p.m. The meeting was held in the Board Chambers at the office of The Woodlands Township, 2801 Technology Forest Boulevard, The Woodlands, Texas, within the boundaries of The Woodlands Township.

Chairman:

Bruce Tough

President/General Manager:

Don Norrell

Vice Chairman:

Peggy Hausman

Staff/Advisors:

Alan Benson

Kim Cogburn

Mary Connell

Karen Dempsey

Taunya Jacques

Miles McKinney

John Powers

Daniel Ringold

Monique Sharp

Bret Strong

Susan Welbes

Renee Williford

Secretary:

Ed Robb

Treasurer:

Gordy Bunch

Directors:

Mike Bass

Nelda Luce Blair

Jeff Long

1. Pledge of Allegiance:

The Pledge of Allegiance to the United States flag and Texas State flag was led by a group of boy scouts.

2. Call meeting to order:

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Chairman Tough called the meeting to order at 6:00 p.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouses of Montgomery County and Harris County and inside the boundaries of The Woodlands Township at the office building located at 2801 Technology Forest Boulevard, The Woodlands, Texas.

The roll was then called of the duly elected members of the Board with all members present, excluding Director Jeff Long. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

3. Receive, consider and act upon adoption of the meeting agenda;

Motion by: Treasurer Gordy Bunch moved to adopt the agenda as presented.

Second by: Director Mike Bass

Motion passed (6-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)	x		
Blair, Nelda Luce (Director)	x		
Long, Jeff (Director)	absent		

4. Recognize public officials;

No public officials were recognized.

5. Public comment;

The following individuals addressed the Board:

- **T.J. Frye**-38 Lazy Lane; commented on the Ironman event;
- **Chris O'Rourke**-3 Barnstable; commented on Ironman Texas event;
- **Lloyd Matthews**-11 Redhaven Place; commented on item #9 regarding appointments to the Ad Hoc Economic Development Committee;
- **Jon Bauman**-66 S. Flagstone Path Cr.; commented on fire hazards;
- **Walter Boyd**-The Woodlands; provided general comments;

6. Receive and consider reports from Village Association Representatives;

Reports were provided by the following Village Association (VA) representatives:

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Alden Bridge VA-President Steve Leakey reported that a reception was held for scholarship winners and their families; Deputy Curtis gave a law enforcement report; guest speakers were Mark Smith from San Jacinto River Authority who gave an update on the Groundwater Reduction Project and Lynne Aldrich, Environmental Services Manager for the Township, who gave an update on mosquito control; Commissioner Noack rescheduled to be a guest speaker in August; Indoor Cycling now a corporate sponsor for scholarship fund; Director Bass attended meeting; IRS notified VA that its tax-free status may be in question;

7. REGULAR AGENDA:

8. Receive, consider and act upon the financial report;

Monique Sharp, Assistant General Manager of Finance and Administration for The Woodlands Township, presented The Woodlands Financial Report. The Board was referred to handout material containing the General Purpose Statements for the four months ended April 30, 2013. After a review of the combined Financial Statements and Monthly Investment Report, a report on the General Fund vs. Actual was presented. Ms. Sharp then reported on sales tax collections, hotel occupancy tax collections, and property tax collections.

Motion by: Treasurer Gordy Bunch moved to accept the Financial Report.

Second by: Vice Chairman Peggy Hausman

Board discussion followed.

Motion passed (6-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)	x		
Blair, Nelda Luce (Director)	x		
Long, Jeff (Director)	absent		

The financial report is attached hereto as Exhibit "A."

9. Receive, consider and act upon the appointment of members to the Ad Hoc Economic Development Committee;

Chairman Tough informed the Board that two Board members submitted a request to be on the Ad Hoc Economic Development Committee. The Chair then recommended that the Board appoint Ed Robb, Nelda Blair and Bruce Tough to the Ad Hoc Economic Development Committee. A call for nominations was then made. There were no nominations.

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Chairman Tough then called for a motion and second.

Motion by: Secretary Ed Robb moved to approve the appointment of Ed Robb, Nelda Blair and Bruce Tough to the Ad Hoc Economic Development Committee.

Second by: Treasurer Gordy Bunch

Board discussion followed.

Motion passed (6-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)	x		
Blair, Nelda Luce (Director)	x		
Long, Jeff (Director)	absent		

Note: Chairman Tough thanked Director Bass for some suggestions he had made and commented that the Ad Hoc Committee will respond to them.

10. Receive, consider and act upon a report from Burditt and Associates regarding the update to the Integrated Forestry Management Plan;

John Powers, Assistant General Manager of Community Services for The Woodlands Township, provided opening comments and then introduced Paul Howard and John Ross from Burditt and Associates. Mr. Howard used a PowerPoint presentation and reviewed findings from an assessment of the current forest condition in The Woodlands. The study included visits and an inventory of 32 Township owned open space reserves/parks in the community.

Mr. Howard commented that overall the forests in The Woodlands are healthy and recovering well following the drought in 2011. Key recommendations from Burditt and Associates included the following matters:

- Forest Health
- Community Awareness
- Hazard Tree Management
- Reforestation
- Wildfire Risk Management

Following the presentation, Mr. Howard entertained questions from the Board.

Motion by: Director Mike Bass moved to accept the report from Burditt and Associates and directed staff to bring back priority action items and recommendations to the Board.

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Second by: Vice Chairman Peggy Hausman

Motion passed (6-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)	x		
Blair, Nelda Luce (Director)	x		
Long, Jeff (Director)	absent		

11. Receive, consider and act upon matters regarding Public Safety Answering Point (PSAP);

Note: Chairman Tough asked Fire Chief Alan Benson to respond to the previous item regarding the update to the Integrated Forestry Management Plan as it relates to fire hazards. Chief Benson commented that the Woodlands Fire Department feels that it can contain fires within the Township; the fire department has the necessary equipment and access to water supplies, etc. Chief Benson stated that he would be concerned should a fire from outside the boundaries of the Township occur and come toward The Woodlands; fire defenses would need to in place to control this type of fire.

Chief Benson then presented background information on the Public Safety Answering Point (PSAP). The Board was informed that there has been a steady increase in the number of emergency calls over the past several years; due to the growth of The Woodlands and the increase in the number of emergency calls staff feels that the Township's interest may be better served by assuming responsibility for all EMS calls. Currently, The Woodlands Fire Department Communications Center (Dispatch) serves as a secondary Public Safety Answering Point (PSAP).

Staff requested approval from the Board to issue a Request for Proposal (RFP) to acquire assistance from a consultant to analyze and evaluate the impact of the Township becoming a primary PSAP. Chief Benson estimated the cost for the consultant to be between \$15,000 and \$20,000.

Board discussion followed. Vice Chairman Hausman expressed a concern that there might be some contractual obligations/political ramifications down the road with the Sheriff's Office related to the PSAP designation. Chief Benson commented that the Montgomery County Sheriff's Office supports the plan and that there would be a relationship with Montgomery County Emergency Communication District 911, not with the Sheriff's Office should the WFD become a PSAP.

Chairman Tough then called on Don Norrell, President/General Manager of The Woodlands Township, to provided an overview of The Woodlands Fire Department 911 Dispatch. Mr. Norrell explained that the Woodlands Fire Department dispatches all fire service calls for Montgomery County except for the City of Conroe; the Sheriff's Office dispatches all law enforcement calls for The Woodlands. The Board was informed that dispatchers are situated at different locations and some don't know The

Woodlands very well; additionally, there are two counties that dispatch 911 calls which add to the confusion. Mr. Norrell commented that these issues need to be addressed and the PSAP designation for The Woodlands Fire Department Dispatch would help address these issues.

Motion by: Secretary Ed Robb moved to approve the issuance of a Request for Proposal regarding a Public Safety Answering Point analysis, directed staff to present results to the Board when completed and to analyze ramifications of future political situations on acquisition of equipment and provision of services.

Second by: Director Mike Bass

Board discussion followed.

Note: Director Long arrived during discussion of this item.

Motion passed (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)	x		
Blair, Nelda Luce (Director)	x		
Long, Jeff (Director)	x		

12. Receive, consider and act upon an award of bid for heating, air conditioning and ventilation (HVAC) replacement;

John Powers presented background information on this item. Mr. Powers explained that the Board approved \$180,000 in the Capital Project Budget to replace three HVAC units in 2013. The Board was informed that the services contract had expired and that the contract must be re-bid. Mr. Powers commented that no action was needed on this item at this time. This matter will be brought back to the Board in June.

13. Receive, consider and act upon a request for proposal regarding legal services for covenant administration/parks and recreation, employment law, and general counsel;

Don Norrell presented background information on this item with a recommendation that the Board authorize contracts with the following firms for legal services and that the Board consider in-house legal counsel in the 2014 Budget process:

- General Counsel-Schwartz, Page & Harding
- Covenants and Parks-The Strong Firm
- Employment Law-Winstead

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Motion by: Director Nelda Luce Blair moved to authorize the execution of legal services contracts as recommended for 2013 with two annual renewal options to engage the following firms for legal services:

- General Counsel-Schwartz, Page & Harding
- Covenants and Parks-The Strong Firm
- Employment Law-Winstead

Second by: Secretary Ed Robb

Board discussion followed. Vice Chairman Hausman requested information on what the Municipal Utility Districts spend on legal services. Treasurer Bunch was not in agreement with the recommended law firms and offered the following amended motion:

Amended Motion by: Treasurer Gordy Bunch moved that the Board contract with the following firms for legal services:

- General Counsel-The Strong Firm
- Covenants and Parks-The Strong Firm
- Employment Law-Olson & Olson

Second by: Vice Chairman Peggy Hausman

Board discussion followed.

Amended Motion failed (2-5).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)		x	
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)		x	
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Director)		x	
Blair, Nelda Luce (Director)		x	
Long, Jeff (Director)		x	

Chairman Tough then called for a vote on the original motion by Director Blair and second by Secretary Robb.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)		x	
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)		x	
Bass, Mike (Director)	x		
Blair, Nelda Luce (Director)	x		
Long, Jeff (Director)			x

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Motion passed (4-2) with one abstention.

CLOSED MEETING (if applicable):

14. **Recess at 7:50 p.m. to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney pursuant to §551.071, Texas Government Code;**
15. **Reconvene in Public Session at 8:51 p.m.;**

Chairman Tough announced that it would not be necessary to take action at this time on matters discussed in Executive Session.

DISCUSS FUTURE AGENDA / ANNOUNCEMENTS:

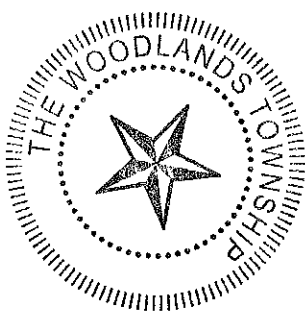
16. **Consideration of items to be placed on the agenda for next month's meeting;**
 - Secretary Robb would like the Township to write a letter to The Woodlands Development Company regarding two fountains located in Town Center that are not operating.
17. **Board announcements;**
 - There were no announcements.
18. **Adjournment.**

Motion by: Vice Chairman Peggy Hausman moved to adjourn the meeting at 8:54 p.m.

Second by: Director Nelda Blair

Motion passed (7-0).

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		



A handwritten signature in black ink, reading "Ed Robb", written over a horizontal line.

Ed Robb
Secretary, Board of Directors

EXHIBIT OMISSIONS*

EXHIBIT "A"

***To view Exhibits, please contact the Records Department at 281-210-3974.**